

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DEAN PROPER,)
)
 Plaintiff,)
v.) C.A. No. 06-306 Erie
)
CRAWFORD COUNTY)
CORRECTIONAL FACILITY, et al.,)
)
 Defendants.)

MEMORANDUM ORDER

Plaintiff's civil rights complaint was received by the Clerk of Court on December 22, 2006 and was referred to Chief United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Chief Magistrate Judge's report and recommendation, filed on June 19, 2007 [27], recommends that Plaintiff's complaint be dismissed as legally frivolous in accordance with 28 U.S.C. § 1915(d). The parties were allowed ten (10) days from the date of service to file objections. Plaintiff's "Motion in Opposition to Report and Recommendation," "Memorandum in Support," [30] and "Declaration" [31] were filed on July 2, 2007.¹

After de novo review of the Complaint and the documents in the case, together with the Report and Recommendation and Plaintiff's objections thereto, the following order is entered:

¹ Plaintiff's motion and supporting memorandum were refiled on July 3, 2007. (See Docket at [32] and [33].)

AND NOW, this 5th Day of July, 2007, IT IS HEREBY ORDERED that Plaintiff's complaint is DISMISSED as legally frivolous in accordance with 28 U.S.C. § 1915(d).

The report and recommendation of Chief Magistrate Judge Baxter, dated June 19, 2007 [27], is adopted as the opinion of this Court.

s/ Sean J. McLaughlin

SEAN J. McLAUGHLIN
United States District Judge

cm: all parties of record.
Chief U.S. Magistrate Judge Susan Paradise Baxter